

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

NICHOLAS WARD,

Plaintiff,

Case No. 1:24-cv-946-JMC-JMR

v.

INTERNATIONAL ALLIANCE OF THEATRICAL STAGE
EMPLOYEES, IATSE LOCAL 480, HAILEY ROY,

Defendants.

**ORDER DENYING AS MOOT DEFENDANT INTERNATIONAL
ALLIANCE OF THEATRICAL STAGE EMPLOYEES' MOTION
TO DISMISS, DEFENDANT IATSE LOCAL 480'S MOTION
TO DISMISS, AND HAILEY ROY'S MOTION TO DISMISS**

On October 21, 2024, Defendant International Alliance of Theatrical Stage Employees filed a motion to dismiss counts I–III of Plaintiff's First Amended Complaint (Doc. No. 11). Also on October 21, 2024, Defendant International Alliance of Theatrical Stage Employees ("IATSE") Local 480 filed a motion to dismiss counts I–V of Plaintiff's First Amended Complaint (Doc No. 12). And on October 30, 2024, Defendant Hailey Josselyn (named in the First Amended Complaint as Hailey Roy) filed a motion to dismiss the First Amended complaint (Doc. No. 20).

On January 7, 2025, the Court granted Plaintiff leave to amend his first amended complaint (Doc. No. 32). Amendments to complaints render previous complaints and any motions to dismiss thereof moot. Davis v. TXO Production Corp., 929 F.2d 1515, 1517 (10th Cir. 1991). As all Defendants' pending motions to dismiss sought dismissal of Plaintiff's first amended complaint, they are moot. The Court, therefore, DENIES AS MOOT Defendants' Motions to Dismiss (Doc Nos. 11, 12, and 20). Defendants may file new motions directed to Plaintiff's most recent amended complaint.

IT IS SO ORDERED.

Entered for the Court
this the 7th day of January, 2025

/s/ Joel M. Carson III
Joel M. Carson III
United States Circuit Judge
Sitting by Designation